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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTIAN GUTIERREZ,

Defendant.

No. 6:20-mj-00002-JDP

**MOTION TO DISMISS; AND
ORDER THEREON**

Pursuant to Rule 48 of the Federal Rules of Criminal Procedure, and by leave of Court endorsed hereon, the United States hereby moves the Court for an order of dismissal without prejudice and in the interest of justice. The parties have reached a resolution in this matter wherein the Government will dismiss the pending case and issue the Defendant a citation for Presence in a park while under the influence of alcohol, or controlled substance to a degree or that may endanger persons, property, or park resources, in the amount of \$350 plus a \$30 processing fee, consistent with bail schedule, which the Defendant will pay through the Central Violations Bureau within 90 days. Defendant does not oppose.

Dated: January 12, 2021

NATIONAL PARK SERVICE

/S/ Sean O. Anderson
Sean O. Anderson
Legal Officer
Yosemite National Park

ORDER

Upon application of the United States pursuant to Fed. R. Crim. P. 48(a), the case *United States v. Gutierrez*, no. 6:20-mj-00002-JDP, is dismissed, without prejudice, in the interest of justice.

IT IS SO ORDERED.

Dated: January 13, 2021


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE